

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

4:02CR116

vs.

ORDER

DEREK D. DABNEY,

Defendant.

This matter is before the court on defendant's motion for leave to amend his "Motion to Vacate, Set Aside, or Correct Sentence by a Federal Prisoner Under 28 U.S.C. § 2255" (§ 2255) (Filing No. 137), and his Application for Leave to Proceed In Forma Pauperis (Filing No. 134). In his motion for leave to amend, defendant requests that the court allow him to file a brief in support of his original motion and include supplemental grounds which support his § 2255 motion.

IT IS ORDERED:

1. Defendant's motion for leave to amend his "Motion to Vacate, Set Aside, or Correct Sentence by a Federal Prisoner Under 28 U.S.C. § 2255" (Filing No. 137) is granted.
2. Defendant's Application for Leave to Proceed In Forma Pauperis (Filing No. 134) is granted.
3. Defendant will file his amended Motion to Vacate, Set Aside, or Correct Sentence by a Federal Prisoner Under 28 U.S.C. § 2255 and supporting documents within

thirty days of this order.

4. The Clerk is directed to mail a copy of this order to the defendant at his last known address.

DATED this 22nd day of November, 2005.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge